

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): MANABE et al.

Appln. No.: 09

Series Code ↑

783,035

Serial No. ↑

Filed: February 15, 2001

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

Group Art U

2813

Examiner:

Christianson, Keith Alan

Atty. Dkt. P

276665 101-243-USDiv

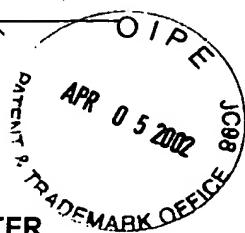
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Client Ref

Appln. Title:

LIGHT EMITTING ALUMINUM
GALLIUM INDIUM NITRIDE
COMPOUND SEMICONDUCTOR
DEVICE HAVING AN IMPROVED
LUMINOUS INTENSITY

Date: April 5, 2002



This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim	For B & C See Required Separate Paper (Pat-256)	
A. <input type="checkbox"/> NOT made		
B. <input type="checkbox"/> Withdrawn		
C. <input type="checkbox"/> made herewith		

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	4	**minus 20	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	3	***minus 3	0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application).....			add	+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: April 6, 2002	<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo)	\$110/\$55 =				115/215
	(2 mos)	\$400/\$200 =	+ \$110			116/216
	(3 mos)	\$920/\$460 =				117/217
	(Usable only for ≤ 2mo.OA --- 4 mos)	\$1,440/\$720=				118/218
	(Usable only for 30 day/1mo.OA --- 5 mos)	\$1,960/\$980=				128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$0			
8.			Extension Fee Attached	+ \$110		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee			+ \$110/\$55	+ \$0		148/248
10. If IDS attached requires Official Fee under Rule 97 (c), or if Rule 97(d) Request	add	+ \$180				126
	add	+ \$180	+ \$0			126
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$740/370	+ \$0			146/246
12. No. of additional inventions for examination per Rule 129(b)		x \$740/370 ea	+ \$0			149/249
13. Request for Continued Examination (RCE)		+ \$740/370	+ \$0			1179/1279
14. Petition fee for			+ \$0			
15.			TOTAL FEE ENCLOSED =	\$110		

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 31317 276665

C# M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

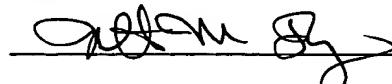
This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Kenneth M. Fagin

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

MANABE et al.

Appln. No.: 09/783,035

Filed: February 15, 2001

Group Art Unit: 2813

Examiner: Christianson, Keith Alan

Title: LIGHT EMITTING ALUMINUM GALLIUM INDIUM NITRIDE SEMICONDUCTOR DEVICE HAVING AN IMPROVED LUMINOUS INTENSITY

COMPOUNDED

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TECHNOLOGY CENTER 2800

April 5, 2002

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RESPONSE TO RESTRICTION REQUIREMENT

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Responsive to the Restriction Requirement mailed February 6, 2002, Applicants elect Group I consisting of claims 16 and 17 for prosecution in the present application. This election is made with traverse.

In the restriction requirement, the Examiner alleges that the claimed process can be used to make a light-emitting device that does not have a band gap as recited in the device claims. Applicants disagree.

As indicated in the specification (page 4, line 23 through page 5, line 20), when the middle layer is formed between the n-layer and the p-layer, and the middle layer is doped with a p-type dopant, the resulting structure is a double hetero-junction structure. The double hetero-junction structure results in a narrower band gap in the n-layer than in the p-layer. Therefore, the band gap limitation recited in the device claims will inherently result from practicing the method as claimed because a product made by the recited steps will have a double hetero-junction structure. Therefore, the inventions are not independent or distinct, and no serious burden will be placed on the Examiner in having to search all claimed inventions. See M.P.E.P. § 803.

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Timely and favorable consideration of all the claims on the merits are respectfully requested.

Respectfully submitted,

Pillsbury Winthrop LLP

By: 

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